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**From:** Lee Luft Ex. 6 Personal Privacy (PP)  
**Sent:** 2/21/2018 5:47:18 PM  
**To:** Staniec, Carol [staniec.carol@epa.gov]  
**Subject:** FW: Biogas Plants  
**Attachments:** Colorado Bio Gas Facility 260 Complaints 9-19-2016 707.jpg; Colorado Bio Gas Facility 260 Complaints 9-19-2016 Page 2 708.jpg; Colorado Biogas Plant Neighbors Ask for Relief 11-15-16 Pg 1 789.jpg; Colorado Biogas Plant Neighbors Ask for Relief 11-15-16 Pg 2 790.jpg; Colorado Biogas Plant Neighbors Ask for Relief 11-15-16 Pg 3 791.jpg; Colorado Biogas Plant Shut Down 12-20-16 Pg 1 792.jpg; Colorado Biogas Plant Shut Down 12-20-16 Pg 2 793.jpg; Michigan Biogas Plant in Fremont Closes 5-20-2015 800.jpg; Michigan Biogas Plant in Fremont Turns Food Waste into Electricity 10-02-16 Pg 1 798.jpg; Michigan Biogas Plant in Fremont Turns Food Waste into Electricity 10-02-16 Pg 3 799.jpg; Michigan Biogas Plant in Fremont Turns Food Waste into Electricity Pg 2 10-02-16 797.jpg; Michigan Biogas Plant in Lowell Shut Down 12-02-16 796.jpg; Michigan Biogas Plant in Lowell Working on Odors 11-23-16 Pg 1 794.jpg; Michigan Biogas Plant in Lowell Working on Odors 11-23-16 Pg 2 795.jpg; GBPG State Gives Manure Treatment a Push 1-11-17 Pg 1 803.jpg; GBPG State Gives Manure Treatment a Push 1-11-17 Pg 2 804.jpg

Hello Carol,

It was my pleasure to meet you at our February Alternative Practices Workgroup meeting. I am grateful that the EPA continues to participate in these meetings. Carol, please know that I was being very candid when I said that the only reason the State of Wisconsin is moving forward with the current and the previous DNR-Kewaunee County Workgroup meetings (and the resulting changes to the NR-151 regulations) is the threat that the EPA might take action after being petitioned to do so in 2014. For a number of years we had asked the DNR to stem the flow of manure applications in areas with shallow soils and fractured bedrock - it took the petition to the EPA to bring these concerns forward. Therefore, please do stay involved!

Carol, here is the information I promised you on the biogas project that the Public Service Commission/DATCP/DNR is promoting. Initially, Governor Walker indicated this facility(s) would be placed in Kewaunee County but there were many questions that the PSC/DATCP and DNR could not answer about the scope and impact of this project and to make matters worse no elected officials from Kewaunee County were ever consulted prior to the governor's announcement nor were any of our county officials involved in the project details that resulted in the request for proposal. This was also the case for Brown County. While that lack of local involvement was a concern, ***the timing the state agencies put forward for this project was incredibly short and did not allow for a well-considered proposal.*** Of course that flawed planning process is now playing out in Brown County, just as we had predicted, with major changes being made to the substrates to be used and the need for a new economic analysis based on lower gas volumes.

Carol, I (and many others here) think the issues related to large-scale manure digester projects need to be well understood before communities agree to host this kind of processing plant – especially in light of the failures of other similar but far smaller and less complex systems. As promised, I have attached information above related to community biogas plants that I have been tracking in other parts of the U.S. (all of which have now been shut down due to myriad problems).

What follows below was my late 2016 message of concern to my fellow Kewaunee County Board members and a DNR official regarding the manure digester project. In a moment, I will forward to you a second message with additional attachments regarding large-scale community digesters that rely upon manure as a major feedstock. I think you will be able to see why there was and is such concern for these kinds of projects.

Sincerely,

Lee Luft

Hello (Wisconsin DNR):

As we have discussed, I continue to support the concept of manure treatment to improve water quality here. I have been impressed by early performance of the Digested Organics operation in Sheboygan County at Majestic Hills Farm. Additionally, many in Kewaunee County have been very vocal in asking for help in stemming the flow of the nutrients and pathogens found in cattle manure within our county and in areas of Wisconsin that have similar Karst geology and while not intending to speak for others, there are some very positive aspects to the project now being proposed by the PSC/DNR/DATCP as it relates to water treatment and nutrient management. **However**, as I mentioned to you, I am also quite concerned about the planning process for this project and the appearance that the project as now conceived really stresses methane gas production and the credits and subsidies for its production over the acknowledged water contamination concerns.

With regard to the project timing, the PSC/DNR/DATCP folks freely acknowledge in this RFP that no one company can carry out the full proposal as currently envisioned (manure digestion, water treatment, nutrient management, and gas segregation and cleaning on a large scale). In essence, multiple companies must come together to design a system to carry out all these required functions. These companies must then agree on who will develop the plans, carefully consider the feedstocks, design the hardware and software, consider staffing, permitting, capital costs, operating costs, etc. Then these companies must devise an equitable split of the costs for this project and the appropriate split of the proceeds and enter into an agreement. Finally, a full proposal to include drawings, required layouts, and the final presentation proposal must be prepared. **The time allotted for this work is exactly 89 days.** Somewhere in that 89 days a site has to be selected and hopefully some consideration given to the issues of truck traffic, the impacts on roads of moving tens of thousands of tanker trucks of liquid manure per year to and from the planned facility, the impacts on neighbors, the significant air quality impacts, etc. To be considered for some of the incentives from Focus on Energy the consortium that is awarded the contract must begin its work in 120 calendar days from the date of the award. The obvious question now being asked here is; when will the environmental impact study for a project that could exist here or in another county in the Lake Michigan basin for generations be undertaken, completed, and reviewed? While I fully support efforts of all kinds to improve our water quality problems, we must ensure that this project and others that may follow have had adequate study before installing them into populated areas of our state. Clearly there will not be time to do this given the proposed PSC/DNR/DATCP timetable.

As you also know I have been following the operations of three relatively new biogas plants to see how well these plants have served their communities, their investors, and the ratepayers/taxpayers. There are not that many of these kind large-scale biodigester plants in operation so I chose to follow the plants that operate using some combination of cattle manure and food waste such as the plant being proposed for Wisconsin.

The three biogas projects I have been tracking are located in Fremont, Michigan, Lowell, Michigan and LaSalle (Weld County), Colorado. Each of these three plants has several issues in common;

1. All three biogas plants use some combination of cattle manure and organic waste food wastes in an anaerobic digester.
2. All three plants produce methane gas that can be used to power a generator to produce electricity or to sell the methane gas as a "green" fuel.
3. All three plants began operations with great public and private optimism and with some level of public funding.

**Now all three plants have another common element; all three have been shut down with two being idled in just the past 30 days.** The plant in Fremont, Michigan opened in late 2012 and closed in October 2015 due to bankruptcy after receiving \$12.3 million in USDA Bio-refinery Assistance. Joint ownership concerns, similar to those suggested in the RFP appear to have doomed this plant, though significant odor issues and complaints from residents were also big issues. The plant in Lowell, Michigan opened in April of 2015 and was shut down in December of 2016 due to a spill, a near explosion, and *significant* odor complaints. The other plant is in Weld County, Colorado. This plant was opened in November of 2015 and shut down in December, 2016 due to odors that residents said caused nausea, loss of sleep, declining property values, and cancelled outdoor activities even though the plant was operating at just 40% of its rated capacity. The \$100 million plant built in Weld County Colorado appears to most closely resemble the plant being

proposed for Kewaunee County or “within the Lake Michigan basin.” I’m certain that the winning bidder(s) for this green gas project will assure all of us that the same problems that have resulted in the closure of these three operations will all be addressed but please note that these were the same assurances being provided by the operators of all three of these now-shuttered operations right up until the time of their closure.

I have attached articles regarding these three plants that document the beginnings of these projects and lots of hope and promise to the end of their operation. None of these plants are as complex as the one described in the recently released Request for Proposal by Wisconsin’s Public Service Commission/DNR/DATCP and all appear to have been under study for a lengthy period of time before construction began.

Here is a listing of the attached articles:

**Weld County Colorado Articles:**

1. Biogas company brings odor to LaSalle, faces Weld County officials for possible permit violation September 19, 2016 (2 pages)
2. Neighbors ask of relief from lingering stench at Weld County biogas plant, commissioners punt. (3 pages)
3. Stench – and permit problems ‘ shuts down Heartland Biogas near Greeley.

**Lowell, Michigan Articles:**

1. Stinky biodigester in Lowell still working on way to curb odors (2 pages)
2. The city of Lowell is cutting ties with a troubled biodigester (1 Page)

**Fremont, Michigan Articles:**

1. Fremont digester turning food scraps into electricity, fertilizer and compost (3 pages)
2. Food waste to biogas project in Michigan closes. (1 page)

I hope that this information is helpful as we consider a similar but far more complex operation for our area.

Best Regards,  
Lee Luft